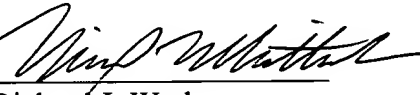


matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,
FOLEY & LARDNER

Dated: December 13, 2002

By: 
For Richard J. Warburg,
Michael A. Whittaker
Registration No. 46,230

PO Box 80278
San Diego, CA 92138-0278
Telephone: (858) 847-6721
Facsimile: (858) 792-6773

Appendix A: Claims currently pending in the application

85. (Reiterated) An assay for determining the presence or amount of a free and complexed cardiac specific isoform of troponin in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds said free cardiac specific isoform of troponin, and which specifically binds said cardiac specific isoform of troponin in a binary complex comprising one other troponin component selected from the group consisting of troponin I, troponin C and troponin T, and which specifically binds said cardiac specific isoform of troponin in a ternary complex comprising two other troponin components selected from the group consisting of troponin I, troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoform of troponin, wherein said signal is at least a factor of two larger than a signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific isoform of troponin; (ii) troponin complexes which do not comprise said cardiac specific isoform of troponin; or (iii) a combination of (i) and (ii), and wherein said signal is related to the presence or amount of said free and complexed cardiac specific isoform of troponin in said sample.

86. (Reiterated) An assay according to claim 85, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

87. (Amended) An assay according to claim 85, wherein said signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoform of troponin is at least a factor of five greater than said signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific isoform of troponin; (ii) troponin complexes which do not comprise said cardiac specific isoform of troponin; or (iii) a combination of (i) and (ii).

88. (Amended) An assay for determining the presence or amount of [a] free and complexed cardiac specific isoforms of troponin in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin I and cardiac specific troponin T, and which specifically binds to cardiac specific troponin I and cardiac specific troponin T in a complex comprising at least one other troponin component selected from the group consisting of troponin I, troponin C and troponin T, and which specifically binds to cardiac specific troponin I and cardiac specific troponin T in a ternary complex comprising two other troponin components selected from the group consisting of troponin I, troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoforms of troponin, wherein said signal is at least a factor of two larger than a [minimum] signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific isoforms of troponin; (ii) troponin complexes which do not comprise said cardiac specific isoforms of troponin; or (iii) a combination of (i) and (ii), and wherein said signal is related to the presence or amount of said free and complexed cardiac specific isoforms of troponin in said sample.

89. (Reiterated) An assay according to claim 88, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

90. (Amended) An assay according to claim 88, wherein said signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoforms of troponin is at least a factor of five greater than said signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific isoforms of troponin; (ii) troponin complexes which do not comprise said cardiac specific isoforms of troponin; or (iii) a combination of (i) and (ii).

91. (Reiterated) An assay for determining the presence or amount of free and complexed cardiac specific troponin I in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin I, and which specifically binds to cardiac specific troponin I in a complex comprising at least one other troponin component selected from the group consisting of troponin C and troponin T, and which specifically binds to cardiac specific troponin I in a ternary complex comprising troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin I, wherein said signal is at least a factor of two larger than a signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific troponin I; (ii) troponin complexes which do not comprise said cardiac specific troponin I; or (iii) a combination of (i) and (ii), and wherein said detectable signal is related to the presence or amount of said free and complexed cardiac specific troponin I in said sample.

92. (Reiterated) An assay according to claim 91, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

93. (Amended) An assay according to claim 91, wherein said signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin I is at least a factor of five greater than said signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific troponin I; (ii) troponin complexes which do not comprise said cardiac specific troponin I; or (iii) a combination of (i) and (ii).

94. (Reiterated) An assay for determining the presence or amount of free and complexed cardiac specific troponin T in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin T, and which specifically binds to cardiac specific troponin T in a complex comprising at least one other troponin component selected from the group consisting of troponin C and troponin I, and which specifically binds to cardiac specific troponin T in a ternary complex comprising troponin C and troponin I; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin T, wherein said signal is at least a factor of two larger than a signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific troponin T; (ii) troponin complexes which do not comprise said cardiac specific troponin T; or (iii) a combination of (i) and (ii), and wherein said detectable signal is related to the presence or amount of said free and complexed cardiac specific troponin T in said sample.

95. (Reiterated) An assay according to claim 94, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

96. (Amended) An assay according to claim 94, wherein said signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin T is at least a factor of five greater than said signal resulting from said antibody binding to an equal number of (i) free troponin components which are not said cardiac specific troponin T; (ii) troponin complexes which do not comprise said cardiac specific troponin T; or (iii) a combination of (i) and (ii).

102. (Reiterated) An assay for determining the presence or amount of all free and complexed cardiac specific isoforms of troponin in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds all free cardiac specific isoforms of troponin, and which specifically binds all cardiac specific isoforms of troponin in a complex comprising at least one other troponin component selected from the group

consisting of troponin I, troponin C and troponin T, and which specifically binds all cardiac specific isoforms of troponin in a ternary complex comprising two other troponin components selected from the group consisting of troponin I, troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoforms of troponin, wherein said signal is related to the presence or amount of all free and complexed cardiac specific isoforms of troponin in said sample.

103. (Reiterated) An assay according to claim 102, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

104. (Reiterated) An assay according to claim 102, wherein said signal is approximately equal for equal amounts of all cardiac specific isoforms of troponin.

105. (Amended) An assay according to claim 102, wherein said signal is within 20% for equal amounts of all cardiac specific isoforms of troponin.

106. (Reiterated) An assay according to claim 102, wherein said signal is within a factor of 2 for equal amounts of all cardiac specific isoforms of troponin.

114. (Reiterated) An assay for determining the presence or amount of a free and complexed cardiac specific isoforms of troponin in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds said free cardiac specific isoform of troponin, and which specifically binds said cardiac specific isoform of troponin in a complex comprising at least one other troponin component selected from the group consisting of troponin I, troponin C and troponin T, and which specifically binds said cardiac specific isoform of troponin in a ternary complex comprising two other troponin components selected from the group consisting of troponin I, troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoform of troponin, wherein said signal is related to the presence or amount of said free and complexed cardiac specific isoforms of troponin in said sample.

115. (Reiterated) An assay according to claim 114, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

116. (Amended) An assay according to claim 114, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoform of troponin is approximately equal to a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoform of troponin.

117. (Amended) An assay according to claim 114, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoform of troponin is within 20% of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoform of troponin.

118. (Amended) An assay according to claim 114, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoform of troponin is within a factor of 2 of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoform of troponin.

119. (Amended) An assay for determining the presence or amount of free and complexed cardiac specific isoforms of troponin in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin I and free cardiac specific troponin T, and which specifically binds to cardiac specific troponin I and cardiac specific troponin T in a complex comprising at least one other troponin component selected from the group consisting of troponin I, troponin C and troponin T, and which specifically binds to cardiac specific troponin I and cardiac specific troponin T in a

ternary complex comprising two other troponin components selected from the group consisting of troponin I, troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific isoforms of troponin, wherein said signal is related to the presence or amount of said free and complexed cardiac specific isoforms of troponin in said sample.

120. (Reiterated) An assay according to claim 119, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

121. (Amended) An assay according to claim 119, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoforms of troponin is approximately equal to a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoforms of troponin.

122. (Amended) An assay according to claim 119, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoforms of troponin is within 20% of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoforms of troponin.

123. (Amended) An assay according to claim 119, wherein a signal detected from said immunoassay for an amount of said free cardiac specific isoforms of troponin is within a factor of 2 of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific isoforms of troponin.

124. (Amended) An assay for determining the presence or amount of free and complexed cardiac specific troponin I in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin I, and which specifically binds to cardiac specific troponin I in a complex

comprising at least one other troponin component selected from the group consisting of troponin C and troponin T, and which specifically binds to cardiac specific troponin I in a ternary complex comprising troponin C and troponin T; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin I, wherein said signal is related to the presence or amount of said free and complexed cardiac specific troponin I in said sample.

125. (Reiterated) An assay according to claim 124, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

126. (Amended) An assay according to claim 124, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin I is approximately equal to a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin I.

127. (Amended) An assay according to claim 124, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin I is within 20% of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin I.

128. (Amended) An assay according to claim 124, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin I is within a factor of 2 of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin I.

129. (Amended) An assay for determining the presence or amount of free and complexed cardiac specific troponin T in a patient sample, said assay comprising:

performing an immunoassay with an antibody which specifically binds to free cardiac specific troponin T, and which specifically binds to cardiac specific troponin T in a complex

comprising at least one other troponin component selected from the group consisting of troponin I and troponin C, and which specifically binds to cardiac specific troponin I in a ternary complex comprising troponin I and troponin C; and

detecting a signal from said immunoassay resulting from said antibody binding said free and complexed cardiac specific troponin T, wherein said signal is related to the presence or amount of said free and complexed cardiac specific troponin T in said sample.

130. (Reiterated) An assay according to claim 129, wherein said patient sample is selected from the group consisting of a blood sample, a serum sample, and a plasma sample.

131. (Amended) An assay according to claim 129, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin T is approximately equal to a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin T.

132. (Amended) An assay according to claim 129, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin T is within 20% of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin T.

133. (Amended) An assay according to claim 129, wherein a signal detected from said immunoassay for an amount of said free cardiac specific troponin T is within a factor of 2 of a signal detected from said immunoassay for an equal amount of said complexed cardiac specific troponin T.

134. (Reiterated) An assay according to claim 85, wherein said antibody is an antibody cocktail.

135. (Reiterated) An assay according to claim 88, wherein said antibody is an antibody cocktail.

136. (Reiterated) An assay according to claim 91, wherein said antibody is an antibody cocktail.
137. (Reiterated) An assay according to claim 94, wherein said antibody is an antibody cocktail.
138. (Reiterated) An assay according to claim 102, wherein said antibody is an antibody cocktail.
139. (Reiterated) An assay according to claim 114, wherein said antibody is an antibody cocktail.
140. (Reiterated) An assay according to claim 119, wherein said antibody is an antibody cocktail.
141. (Reiterated) An assay according to claim 124, wherein said antibody is an antibody cocktail.
142. (Reiterated) An assay according to claim 129, wherein said antibody is an antibody cocktail.